

AMENDED IN ASSEMBLY JULY 2, 2002

AMENDED IN SENATE MAY 8, 2002

AMENDED IN SENATE APRIL 17, 2002

SENATE BILL

No. 1619

**Introduced by Senators Romero and Sher
(Coauthor: Senator Soto)**

February 21, 2002

An act to add Sections 42590, 42591, 42592, and 42593 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1619, as amended, Romero. Solid waste: cathode ray tubes and CRT devices.

Existing law requires the California Integrated Waste Management Board to administer state programs to recycle plastic trash bags, plastic packaging containers, waste tires, newsprint, and other specified materials.

~~This bill, in conjunction with SB 1523, would establish a program administered by the board to recover, reuse, and recycle cathode ray tubes and CRT devices, as defined.~~

~~The bill would require the board, upon appropriation, to use funds in the Cathode Ray Tube Recycling Account, which SB 1523 would establish in the Integrated Waste Management Fund, for the purposes of providing would require the board, using funds appropriated for these purposes, to provide (1) matching grant funds to local governments to establish and maintain local programs that provide for the convenient and cost-effective collection and processing of cathode ray tubes and CRT devices; (2) annual recycling incentive payments to~~

CRT material handlers that collect and process cathode ray tubes and CRT devices; (3) grants to nonprofit agencies that recycle and refurbish cathode ray tubes and CRT devices for reuse; *and* (4) grants to manufacturers of CRT devices to encourage consumers to return the devices for processing, recycling, or reuse and to assist manufacturers in collecting, processing, recycling, or reusing CRT devices. The bill would also require these funds, ~~upon appropriation~~ to be used by the board to *establish* a public information program to educate the public on the hazards of improper CRT device storage and disposal and on the opportunities to recycle CRT devices; and to provide funding to the Department of Toxic Substances Control to implement and enforce certain provisions relating to hazardous waste control, as those provisions relate to CRT devices, and any regulations adopted by the department pursuant thereto.

The bill would prohibit the board from making any grant or incentive payment under the program unless the applicant for the grant or payment demonstrates (1) that the CRT devices collected by the applicant will be recycled, refurbished, or disposed of in a manner that is in compliance with all applicable federal, state, and local laws, regulations, and ordinances, and that the devices will not be exported from the state for disposal in a manner that poses a significant risk to the public health or the environment; and (2) that the applicant will accept for recycling or refurbishment any CRT device for which fees have been paid and a label has been issued, without charging for that recycling or refurbishment.

The bill would provide state goals relating to the diversion, reuse, and recycling of cathode ray tubes and CRT devices.

The bill would require that on and after January 1, 2004, all cathode ray tubes and CRT devices *sold in the state*, and packaging containing those tubes and devices, include a clear and conspicuous label of a size and format approved by the Department of Toxic Substances Control, containing certain information regarding the proper disposal of the tubes and devices.

~~The bill would provide that its provisions shall become operative only if SB 1523 of the 2001–02 Regular Session is enacted and becomes operative.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



The people of the State of California do enact as follows:

SECTION 1. Section 42590 is added to the Public Resources Code, to read:

~~42590. Upon appropriation, the board shall use funds in the account to do all of the following:~~

42590. Using funds appropriated for these purposes, the board shall do all of the following:

(a) Provide ~~matching~~ grant funds to local governments to establish and maintain local programs that provide for the convenient and cost-effective collection and processing of cathode ray tubes and CRT devices.

(b) Provide annual recycling incentive payments to CRT material handlers that collect and process cathode ray tubes and CRT devices, if those facilities comply with all of the applicable provisions of Sections 66273.80 to 66273.90, inclusive, of Title 22 of the California Code of Regulations.

(c) Provide grants to nonprofit organizations that recycle and refurbish cathode ray tubes and CRT devices for reuse. Grants to nonprofit organizations made under this subdivision may be made available for the purposes of refurbishing and reselling CRT devices and for the training of persons in the repair, refurbishing, and recycling of those devices.

(d) Provide grants to manufacturers of CRT devices to encourage consumers to return the devices for processing, recycling, or reuse and to assist manufacturers in collecting, processing, recycling, or reusing CRT devices.

(e) Establish a public information program to educate the public on the hazards of improper CRT device storage and disposal and on the opportunities to recycle CRT devices. Not more than 1 percent of funds in the account may be used for the purposes of implementing this subdivision.

(f) Provide funding to the Department of Toxic Substances Control to implement and enforce Chapter 6.5 (commencing with Section 25000) of the Health and Safety Code, as that chapter relates to CRT devices, and any regulations adopted by that department pursuant thereto.

SEC. 2. Section 42591 is added to the Public Resources Code, to read:

1 42591. No grant or incentive payment may be made by the
2 board under subdivision (a) to (d), inclusive, of Section 42590
3 unless the applicant for the grant or payment demonstrates both of
4 the following:

5 (a) The CRT devices collected by the applicant will be
6 recycled, refurbished, or disposed of in a manner that is in
7 compliance with all applicable federal, state, and local laws,
8 regulations, and ordinances, and the devices will not be exported
9 from the state for disposal in a manner that poses a significant risk
10 to the public health or the environment.

11 (b) The applicant will accept for recycling or refurbishment
12 any CRT device for which fees have been paid and a label has been
13 issued without charging for that recycling or refurbishment.

14 SEC. 3. Section 42592 is added to the Public Resources Code,
15 to read:

16 42592. (a) The Legislature finds and declares that existing
17 law prohibits the disposal of cathode ray tubes and CRT devices
18 in landfill facilities and requires that the tubes and devices be
19 disposed of in accordance with provisions of law relating to
20 disposal of hazardous waste.

21 (b) Accordingly, the Legislature further finds and declares that
22 the following shall be the goals of the state regarding the diversion,
23 reuse, and recycling of cathode ray tubes and CRT devices:

24 (1) On and after January 1, 2004, not less than 80 percent of
25 cathode ray tubes and CRT devices shall be diverted from disposal
26 in landfill facilities.

27 (2) On and after January 1, 2006, not less than 95 percent of
28 cathode ray tubes and CRT devices shall be diverted from disposal
29 in landfill facilities.

30 (3) On and after January 1, 2004, not less than 25 percent of
31 cathode ray tubes and CRT devices shall be diverted from disposal
32 at a hazardous waste facility and recovered for reuse or recycling.

33 (4) On and after January 1, 2007, not less than 50 percent of
34 cathode ray tubes and CRT devices shall be diverted from disposal
35 at a hazardous waste facility and recovered for reuse or recycling.

36 (5) On and after January 1, 2010, not less than 75 percent of
37 cathode ray tubes and CRT devices shall be diverted from disposal
38 at a hazardous waste facility and recovered for reuse or recycling.

39 (c) This section is intended to provide goals to facilitate and
40 encourage compliance with existing laws relating to the disposal

1 of hazardous waste. Nothing in this section is intended to
2 supercede any other provision of law relating to the disposal of
3 hazardous waste.

4 SEC. 4. Section 42593 is added to the Public Resources Code,
5 to read:

6 42593. On and after January 1, 2004, all cathode ray tubes and
7 CRT devices *sold in the state*, and packaging containing those
8 tubes or devices, shall include a clear and conspicuous label of a
9 size and format approved by the Department of Toxic Substances
10 Control, containing ~~all~~ *both* of the following:

11 (a) A warning statement approved by the Department of Toxic
12 Substances Control specifying that the cathode ray tube or CRT
13 device contains one or more hazardous materials, the disposal of
14 which may pose a threat to public health and the environment.

15 ~~(b) A listing of the hazardous materials contained in the~~
16 ~~cathode ray tube or CRT device.~~

17 ~~(c)~~

18 (b) Information on opportunities for and the appropriate means
19 of discarding the cathode ray tube or CRT device, including a
20 toll-free telephone number or Internet address where consumers
21 can get specific information on convenient, no-cost opportunities
22 for discarding cathode ray tubes and CRT devices for reuse,
23 recycling, or proper waste management.

24 ~~SEC 5. This act shall become operative only if Senate Bill~~
25 ~~1523 of the 2001-02 Regular Session is enacted and becomes~~
26 ~~operative.~~